

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Robert Lee Lookabaugh Jr.
Candace Lynn Lookabaugh
Debtor(s)

Bankruptcy Case No.: 19-21213-GLT
Issued Per 9/26/2019 Proceeding
Chapter: 13
Docket No.: 37 - 2
Concil. Conf.: September 26, 2019 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 22, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Sep. 26, 2019 at 01:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 9 of US Bank .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: September 30, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Robert Lee Lookabaugh, Jr.
 Candace Lynn Lookabaugh
 Debtors

Case No. 19-21213-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 52

Date Rcvd: Sep 30, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 02, 2019.

db/jdb +Robert Lee Lookabaugh, Jr., Candace Lynn Lookabaugh, 932 Evans City Road,
 Renfrew, PA 16053-9228
 cr +USAA Federal Savings Bank, c/o Weinstein & Riley, P.S., 11101 West 120th Ave, Suite 280,
 Broomfield, CO 80021-2756
 15020263 American Express, P.O. Box 981535, El Paso, TX 79998-1535
 15041983 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15020264 +Butler Medical Center, Agent Cashier 33T, 353 N. Duffy Road, Butler, PA 16001-1138
 15020265 Chase, P.O. Box 15298, Wilmington, DE 19850-5298
 15041861 +Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L.,
 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
 15065388 +CitiMortgage, Inc., c/o Cenlar FSB, Attention: BK Department, 425 Phillips Blvd.,
 Ewing, NJ 08618-1430
 15064947 +Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 15020266 Citimortgage Inc., P.O. Box 6243, Sioux Falls, SD 57117-6243
 15020267 Collection Service Center Inc., P.O. Box 560, New Kensington, PA 15068-0560
 15034576 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Motor Credit Company LLC, P. O. Box 62180,
 Colorado Springs, CO 80962)
 15020271 First Bankcard/Sheetz, P.O. Box 2557, Omaha, NE 68103-2557
 15020272 Ford Credit, P.O. Box 220564, Pittsburgh, PA 15257-2564
 15020273 +Home Depot Credit Services, P.O. Box 790328, Saint Louis, MO 63179-0328
 15020274 +Kubota Credit Card, 1000 Kubota Drive, Grapevine, TX 76051-2334
 15053812 +Kubota Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 15020275 Macy's Visa, P.O. Box 8113, Mason, OH 45040-8113
 15044154 ++PERI GARITE, ATTN CARD WORKS, 101 CROSSWAYS PARK DR W, WOODBURY NY 11797-2020
 (address filed with court: First National Bank of Omaha, 1620 Dodge St., Stop Code 3105,
 Omaha, NE 68197)
 15020276 #+Robert Lookabaugh, 7530 Eric Drive, Chattanooga, TN 37421-4102
 15020284 Toyota Financial Services, P.O. Box 4102, Carol Stream, IL 60197-4102
 15053332 +Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013,
 Addison, Texas 75001-9013
 15020285 Tractor Supply/CBNA, P.O. Box 6403, Sioux Falls, SD 57117-6403
 15039024 U.S. Department of Education, c/o FedLoan Servicing, P.O. Box 69184,
 Harrisburg, PA 17106-9184
 15020286 +UPMC, P.O. Box 371472, Pittsburgh, PA 15250-7472
 15064116 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 15064150 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 15048861 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: U.S. Bank National Association, c/o U.S. Bank Home Mortgage,,
 a division of U.S. Bank N.A., 4801 Frederica Street, Owensboro, Kentucky 42301)
 15020287 +US Bank Home Mortgage, 4801 Frederica Street, Owensboro, KY 42301-7441
 15020288 US Dept. of Education, P.O. Box 69184, Harrisburg, PA 17106-9184
 15020289 +USAA Federal Savings Bank, P.O. Box 33009, San Antonio, TX 78265-3009
 15020290 +USAA Savings Bank, P.O. Box 33009, San Antonio, TX 78265-3009
 15049989 Wells Fargo Bank N.A., d/b/a Wells Fargo Auto, PO Box 130000 Raleigh, NC 27605
 15020291 Wells Fargo Dealer Services, P.O. Box 25341, Santa Ana, CA 92799-5341

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 01 2019 04:12:50
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15020268 E-mail/PDF: creditonebknofications@resurgent.com Oct 01 2019 04:12:22 Credit One Bank,
 PO Box 98873, Las Vegas, NV 89193-8873
 15020269 E-mail/Text: mrdiscen@discover.com Oct 01 2019 04:08:33 Discover, P.O. Box 15316,
 Wilmington, DE 19850-5316
 15020270 E-mail/Text: mrdiscen@discover.com Oct 01 2019 04:08:33 Discover, P.O. Box 30943,
 Salt Lake City, UT 84130
 15065311 E-mail/Text: bnc-quantum@quantum3group.com Oct 01 2019 04:09:05
 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 15028007 E-mail/Text: mrdiscen@discover.com Oct 01 2019 04:08:33 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15061848 E-mail/PDF: resurgentbknofications@resurgent.com Oct 01 2019 04:12:55 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15063829 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 01 2019 04:13:23
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 15022795 +E-mail/PDF: gecsedirecoverycorp.com Oct 01 2019 04:12:12 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15020277 +E-mail/PDF: gecsedirecoverycorp.com Oct 01 2019 04:12:40 Synchrony Bank/Amazon,
 P.O. Box 965015, Orlando, FL 32896-5015
 15020278 E-mail/PDF: gecsedirecoverycorp.com Oct 01 2019 04:12:12 Synchrony Bank/BP,
 P.O. Box 965015, Orlando, FL 32896-5015

District/off: 0315-2

User: dbas
Form ID: 149

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Total Noticed: 52

Date Rcvd: Sep 30, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15020279	E-mail/PDF: gecsed@recoverycorp.com Oct 01 2019 04:12:14	Synchrony Bank/Care Credit,
	P.O. Box 965036, Orlando, FL 32896-5036	
15020280	E-mail/PDF: gecsed@recoverycorp.com Oct 01 2019 04:12:42	Synchrony Bank/JC Penney,
	P.O. Box 965009, Orlando, FL 32896-5009	
15020281	E-mail/PDF: gecsed@recoverycorp.com Oct 01 2019 04:12:12	Synchrony Bank/Lowes,
	P.O. Box 530914, Atlanta, GA 30353-0914	
15020282	+E-mail/PDF: gecsed@recoverycorp.com Oct 01 2019 04:12:40	Synchrony Bank/Lowes,
	P.O. Box 965005, Orlando, FL 32896-5005	
15020283	E-mail/PDF: gecsed@recoverycorp.com Oct 01 2019 04:12:12	Synchrony Bank/Walmart,
	P.O. Box 965024, Orlando, FL 32896-5024	
15061859	+E-mail/Text: bncmail@w-legal.com Oct 01 2019 04:09:48	USAA Federal Savings Bank,
	C/O Weinstein & Riley, PS, 2001 Western Ave., Suite 400, Seattle, WA 98121-3132	
15057984	E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Oct 01 2019 04:12:59	Verizon,
	by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457	

TOTAL: 18

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr CITIMORTGAGE, INC.
cr Toyota Lease Trust

TOTALS: 2, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 02, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 30, 2019 at the address(es) listed below:

Dai Rosenblum on behalf of Plaintiff Candace Lynn Lookabaugh Jody@dairosenblumbankruptcy.com, pjbz@zoominternet.net; Dai@dairosenblumbankruptcy.com; Michael@dairosenblumbankruptcy.com
Dai Rosenblum on behalf of Debtor Robert Lee Lookabaugh, Jr. Jody@dairosenblumbankruptcy.com, pjbz@zoominternet.net; Dai@dairosenblumbankruptcy.com; Michael@dairosenblumbankruptcy.com
Dai Rosenblum on behalf of Joint Debtor Candace Lynn Lookabaugh Jody@dairosenblumbankruptcy.com, pjbz@zoominternet.net; Dai@dairosenblumbankruptcy.com; Michael@dairosenblumbankruptcy.com
James Warmbrodt on behalf of Creditor Toyota Lease Trust bkgroup@kmlawgroup.com
Lisa Cancanon on behalf of Creditor USAA Federal Savings Bank lisac@w-legal.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Thomas Song on behalf of Creditor CITIMORTGAGE, INC. pawb@fedphe.com

TOTAL: 8